

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

JOHNSON CONTROLS, INC.

Employer

and

AREA TRADES COUNCIL, a/w
PLUMBERS UA LOCAL 12, IBEW
LOCAL 103, PAINTERS DC #35,
CARPENTERS LOCAL 51, IUOE LOCAL
877

Case 1-RC-077916

Petitioner

DECISION AND DIRECTION

The National Labor Relations Board has considered determinative challenged ballots in an election held May 9, 2012, and the Hearing Officer's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 8 ballots cast for the Petitioner and 7 ballots cast against the Petitioner, with 2 determinative challenged ballots, a sufficient number to affect the results.

No exceptions have been filed to the hearing officer's report within the time provided.¹ Accordingly, the Board adopts the Hearing Officer's findings and recommendations.²

¹ On July 13, 2012, the Employer requested to withdraw its earlier-filed exceptions to the hearing officer's report and requested that the Board allow the Region to proceed with the processing of this case. That request is hereby granted. No other party filed exceptions.

DIRECTION

IT IS DIRECTED that the Regional Director for Region 1 shall, within 14 days of this direction, open and count the ballot of Brendan Wilkins, and thereafter prepare and serve on the parties a revised tally of ballots, and issue the appropriate certification.

Dated, Washington D.C., August 6, 2012.

By direction of the Board:

Farah Z. Qureshi

Associate Executive Secretary

² The Board adopts the hearing officer's recommendation to sustain the challenge to the ballot of Fred Pepek and overrule the challenge to the ballot of Brendan Wilkins.